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DATE FILED: 1/28/08

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

21 MC 102 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York December 14, 2007

> SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD. Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York

WORBY GRONER EDELMAN & NAPOLI BERN Attorneys for Plaintiff

By: Christian H. Gannon (CG-1621) 830 Third Avenue, Suite 400 New York, New York 10022 (212) 651-1500

Trust Company, N.A.

Christopher R. Lopalo, Esq. (CL-6466) 115 Broadway, 12th Floor: New York, New York 10006 (212) 267-3700

VIN K. HELLERSTEIN

## STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

	FOR THE FOLLOWING PLAINTIFFS:		
	Plaintiff Name	Index # All (AKH)	
1	Acosta, Byron	07CV1552	
2	Adriano, Luis	07CV4445	
3	Agudelo, Gladys	07CV4446	
4	Ali, Enrique	07CV01554	
5	Allivar, Raul	05CV9821	
6	Alvarez, Maria	05CV10135	
. 7	Alvarracin, Jose	07CV01556	
8	Asencio, Ivan	07CV,1460	
9	Atencia, Marcelo	07CV01562	
10	Bailon, Peter B.	07CV05336	
11	Barahona, Jose	07CV5550	
12	Betancourt, Hector	07CV4453	
13	Burgos, Leopoldo	07CV1473	
14	Caguana, Manuel	06CV11968	
15	Calero, Ivan	07CV1575	
16	Calle, Wilson	07CV01578	
17	Campoverde, Rey R.	07CV05280	
18	Campozano, Rodrigo	07CV4459	
19	Cardenas, Edison	07CV1580	
20	Castillo, Silvia	05CV1718	
21	Chuva, Nancy	07CV01589	
22	Cintron, Yolanda	06CV5631	
23	Cortez, Jorge E.	07CV05394	
24	Criollo, Nancy	07CV4462	
25	Dota, Clara	07CV01602	
26	Drake, Jesse	07CV05353	
27	Duarte, Inerva	07CV01603	
28	Dutan, Elvia and Wilfredo	07CV1606	
29	Encalada, Jorge	07CV1607	
30	Franco, Luis	07CV4466	

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34 Gaspar, Peter

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07CV1617

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07CV1680

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35	Giamo, Samuel T.	06CV11676
36	Giraldo, Hitien E.	07CV5554
37	Gualpa, Rosa	07CV4472
38	Guzman, Armando	07CV5556
. 39	Hernando, Avenia	07CV4473
40	Hurtado, Julio	07CV05295
41	Idrovo, Edgar	07CV1627
42	Idrovo, Manuel	07CV01628
43	Inga, Jorge	07CV01629
44	Jablonski, Jozef	07CV01630
45	Jaramillo, Jonas	06CV14746
46	Karus, Marian	07CV01635
47	Lascano, Ana	05CV9333
48	Lasica, Andrezej	07CV4480
49	Lenis, Carlos	06CV10045
50	Leon, Cesar	07CV063
51	Leon, Ines	07CV4481
52	Loja, Wilmo	07CV4482
53	Lucero, Fernando	07CV05366
54	Medina, Rosa	07CV4491
55	Melendez, Maria	07CV05397
56	Mendez, Juan	07CV01664
57	Merchan, Carlos	07CV01665
58	Mora, Eugenio	06CV13168
59	Morales, Tatiana	07CV05370
60	Moreno, Sandra	07CV1670
61	Naranjo, Luis	07CV00082
62	Naranjo, Walter	07CV04496
63	Negrete, Oscar	07CV05371

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71	Salazar, Victor	07CV4512
72	Sanchez, Edilberto	07CV05384
73	Sanchez, Rosa	06CV12488
74	Santamaria, Emanuel	07CV1528
75	Sarmiento, Edwin	07CV4515
76	Sarmiento, Galo	07CV1529
77	Serrano, Theresa	05CV8937
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. 79	Suarez, Felipe	07CV1707
80	Samuel Sumba	07CV1710
81	Teham, Nicholas	07CV5564
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83	Teran, Cesareo	07CV05389
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86	Vazquez, Kattia	07CV1722
87	Vega, Severo	07CV4521
88	Villarroel, Segundo	07CV1546
89	Villarruel, Kleber (Paredes)	06CV13703
90	Walsh, Kevin	06CV12608
91	Waniurski, Robert	07CV4525
92	Watson, Ancil	07CV05391
93	Wragg, Clarence	06CV8125